

AMENDMENTS TO LB 658

(Amendments to E & R amendments, ER8064)

Introduced by Hudkins, 21

1 1. Insert the following new sections:

2 Sec. 9. Within one year after the effective date of this  
3 act, an individual or a group of individuals residing in a Class  
4 II, III, IV, or V school district may propose a plan to organize  
5 a Class I school district along the same boundaries as a Class I  
6 district which was dissolved pursuant to the requirements of Laws  
7 2005, LB 126, and subject to an affiliation agreement containing  
8 the same terms as the affiliation agreement to which such dissolved  
9 Class I district was subject immediately before such dissolution.

10 Sec. 10. The plan described in section 9 of this act  
11 shall contain a legal description of the proposed Class I school  
12 district, a map of the proposed Class I district, a list of at  
13 least three resident students who will enroll in such Class I  
14 district as attested in writing by a parent or legal guardian of  
15 such students, a facilities plan, a staffing plan, and an estimated  
16 budget. If the facilities plan would require a capital facility  
17 bond, the facilities plan shall include a proposal for a bond issue  
18 to be voted upon concurrently with the plan. Both the vote for  
19 organization of the Class I district and the vote for such bond  
20 issue must be successful in order for the Class I district to be  
21 organized. Such plan shall be filed with each affected Class II,  
22 III, IV, or V school district.

1           Sec. 11. The individuals proposing to organize a Class I  
2 school district pursuant to sections 9 and 10 of this act shall  
3 file a notice of intent with all affected Class II, III, IV,  
4 and V school districts. Upon receipt of such notice, such school  
5 districts shall preserve all assets of the former Class I district  
6 dissolved pursuant to Laws 2005, LB 126, that are identifiable,  
7 including, but not limited to, buildings and improvements to real  
8 property, personal property, and cash. Upon a successful vote  
9 pursuant to section 12 of this act, each affected Class II, III,  
10 IV, or V district shall transfer such preserved assets to the Class  
11 I district.

12           Sec. 12. Within sixty days after the filing of a notice  
13 of intent pursuant to section 11 of this act, the individuals  
14 proposing to organize such Class I school district shall hold a  
15 public meeting. Notice of the time and place of such public meeting  
16 shall be posted in no fewer than three public places within the  
17 proposed boundaries of the Class I district not less than seven  
18 days before the date of the public meeting. The purpose of such  
19 public meeting shall be to permit the registered voters of the  
20 proposed Class I district to vote on the questions of organizing  
21 the proposed district and any proposed bond issue required under  
22 section 10 of this act. If a majority of those present and voting  
23 on the questions vote to organize such Class I district and approve  
24 any proposed bond issue required under such section, such Class I  
25 district shall be organized.

26           Sec. 13. If a majority of those voting at the public  
27 meeting described in section 12 of this act vote in favor of

1 organizing the Class I school district, the State Committee for the  
2 Reorganization of School Districts shall issue an order pursuant to  
3 this section within thirty days after such vote. The order shall:

4 (1) Designate an effective date of July 1 following the  
5 date of such vote;

6 (2) Contain the description of the proposed boundaries of  
7 such Class I district and all affected Class II, III, IV, and V  
8 school districts;

9 (3) Affiliate the Class I district with the Class II,  
10 III, IV, or V district or districts with which the territory of the  
11 dissolved Class I district described in section 9 of this act was  
12 affiliated prior to dissolution pursuant to Laws 2005, LB 126; and

13 (4) Appoint an initial school board of three residents of  
14 the Class I district organized pursuant to sections 9 to 14 of this  
15 act who shall begin serving immediately and who shall serve until  
16 the first annual meeting of such Class I district.

17 Sec. 14. A Class I school district created pursuant to  
18 sections 9 to 13 of this act shall have an absolute right to all  
19 assets and liabilities, including, but not limited to, the district  
20 number, of the Class I district dissolved pursuant to Laws 2005, LB  
21 126, the boundaries of which are the same as the Class I district  
22 created pursuant to such sections.

23 Sec. 15. The State Department of Education shall treat  
24 a Class I school district organized pursuant to sections 9 to 14  
25 of this act as the dissolved Class I district described in section  
26 9 of this act was treated prior to dissolution pursuant to Laws  
27 2005, LB 126, for purposes of state aid, budgeting, accreditation,

1 enrollment of students, state programs, and reporting.

2           Sec. 16. The school board of a Class I school district  
3 organized pursuant to sections 9 to 14 of this act may vote to  
4 dissolve such Class I district by resolution of the board with  
5 an effective date stated in the resolution of either the first or  
6 the second July 1 following the adoption of the resolution. Such  
7 resolution shall be delivered to each Class II, III, IV, or V  
8 school district with which territory of the Class I district is  
9 affiliated and to the State Committee for the Reorganization of  
10 School Districts within ten days after its adoption by the school  
11 board of such Class I district. The state committee shall issue an  
12 order dissolving such Class I district and attaching the territory  
13 of such district to the Class II, III, IV, or V district with which  
14 such territory was affiliated. Such order shall have the effective  
15 date stated in the resolution adopted by the Class I school board  
16 pursuant to this section.

17           2. On page 1, lines 5, 13, and 22; page 2, lines 4 and  
18 5; page 3, line 22; page 4, lines 14, 16, and 25; page 5, lines 4,  
19 6, 9, 11, 14, 18, 21, 22, and 26; page 6, lines 20 and 21; page 7,  
20 lines 4, 5, 6, 8, 9, 12, 23, and 25; and page 8, lines 2 and 5,  
21 strike each occurrence of "I" and insert "E".

22           3. On page 14, line 10, after "district" insert "created  
23 pursuant to sections 9 to 16 of this act"; and in line 26 strike  
24 "and".

25           4. On page 15, line 9, strike the new matter and  
26 reinstate the stricken matter and after the reinstated "and" insert  
27 the following new subdivision:

1                   "(6) Class E includes any school district created  
2 pursuant to sections 1 to 8 of this act that maintains only  
3 elementary grades under the direction of a single school board.".

4                   5. On page 17, line 10, strike "8" and insert "16".

5                   6. On page 106, line 6, after "1" insert "or 10".

6                   7. On page 124, line 12, strike "8" and insert "16".

7                   8. Renumber the remaining sections and correct internal  
8 references accordingly.